

GARY R. HERBERT  
Governor

GREGORY S. BELL  
Lieutenant Governor

# State of Utah

## DEPARTMENT OF NATURAL RESOURCES

MICHAEL R. STYLER  
Executive Director

### Division of Oil, Gas and Mining

JOHN R. BAZA  
Division Director


Internal, C0150007

# 3925

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December 15, 2011

To: Internal File

From: Daron R. Haddock, Permit Supervisor 

Subject: 510 (c) Recommendation for Consolidation Coal Company, Hidden Valley Mine, C/015/0007

As of this writing of this memo, there are no NOV's or CO's which are not corrected or in the process of being corrected for the Hidden Valley Mine. There are no finalized civil penalties, which are outstanding and overdue in the name of Consolidation Coal Company. Consolidation Coal Company does not have a demonstrated pattern of willful violations, nor have they been subject to any bond forfeitures for any operation in the state of Utah.

Attached is a recommendation from the OSM Applicant Violator System for the Hidden Valley Mine. The recommendation from the Applicant Violator System (AVS) denotes that all violations are under a settlement agreement.

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**Permit Evaluation**

Permit Number ACT015007 SEQ:1  
 Permittee Name 107373 Consolidation Coal Co  
 Date Of Narrative 12/15/2011 9:22:32 AM  
 Requestor suzanne.steab

CAUTION: The Applicant/Violator System (AVS) is an informational database. Permit eligibility determinations are made by the regulatory authority with jurisdiction over the permit application not by the AVS. Results which display outstanding violations may not include critical information about settlements or other conditions that affect permit eligibility. Consult the AVS Office at 800-643-9748 for verification of information prior to making decisions on these results.

**18 Violations Found.**

<b>1: Bond Forfeiture</b>	<u>2985329</u>	KY	Permit:2985329	Outstanding	5/14/1987
Violator 1:	078176 Adkins & Webb Inc				
<b>2: State Civil Penalty</b>	<u>053004</u>	KY	Permit:2985329	Outstanding	3/27/1986
Violator 1:	078176 Adkins & Webb Inc				
<b>3: Bond Forfeiture</b>	<u>2985332</u>	KY	Permit:2985332	Outstanding	8/19/1988
Violator 1:	108056 J & H Coal Co				
<b>4: State Civil Penalty</b>	<u>053764</u>	KY	Permit:2985332	Outstanding	9/18/1987
Violator 1:	108056 J & H Coal Co				
<b>5: State Civil Penalty</b>	<u>054149</u>	KY	Permit:2985332	Outstanding	3/28/1988
Violator 1:	108056 J & H Coal Co				
<b>6: Bond Forfeiture</b>	<u>4985319</u>	KY	Permit:4985319	Outstanding	1/20/1989
Violator 1:	034732 Price Coal Co				
<b>7: State Civil Penalty</b>	<u>053671</u>	KY	Permit:4985319	Outstanding	5/22/1987
Violator 1:	034732 Price Coal Co				
<b>8: State Civil Penalty</b>	<u>054020</u>	KY	Permit:4985319	Outstanding	4/26/1988
Violator 1:	034732 Price Coal Co				
<b>9: State Civil Penalty</b>	<u>054058</u>	KY	Permit:4985319	Outstanding	11/20/1987
Violator 1:	034732 Price Coal Co				
<b>10: State Civil Penalty</b>	<u>054148</u>	KY	Permit:4985319	Outstanding	3/24/1988
Violator 1:	034732 Price Coal Co				
<b>11: State Civil Penalty</b>	<u>054323</u>	KY	Permit:4985319	Outstanding	6/15/1988
Violator 1:	034732 Price Coal Co				
<b>12: Bond Forfeiture</b>	<u>6985333</u>	KY	Permit:6985333	Outstanding	1/16/1990
Violator 1:	108056 J & H Coal Co				
<b>13: State Civil Penalty</b>	<u>053568</u>	KY	Permit:6985333	Outstanding	6/5/1987
Violator 1:	108056 J & H Coal Co				
<b>14: State Civil Penalty</b>	<u>053757</u>	KY	Permit:6985333	Outstanding	7/6/1987
Violator 1:	108056 J & H Coal Co				
<b>15: State Civil Penalty</b>	<u>053934</u>	KY	Permit:6985333	Outstanding	10/2/1987
Violator 1:	108056 J & H Coal Co				
<b>16: State Civil Penalty</b>	<u>054316</u>	KY	Permit:6985333	Outstanding	3/28/1988
Violator 1:	108056 J & H Coal Co				
<b>17: State Civil Penalty</b>	<u>054442</u>	KY	Permit:6985333	Outstanding	6/15/1988
Violator 1:	108056 J & H Coal Co				
<b>18: State Civil Penalty</b>	<u>504587</u>	KY	Permit:8985157	Outstanding	8/23/1988
Violator 1:	007928 Past Coal Company Incorporated				

**Evaluation OFT**

Entities: 55

124819 Consol Energy Inc - ()  
---107373 Consolidation Coal Co - (Subsidiary Company)  
-----118427 J Brett Harvey - (Chairman of the Board)  
-----118427 J Brett Harvey - (Chief Executive Officer)  
-----118427 J Brett Harvey - (Director)  
-----127689 Rodney E Ford - (Assistant Secretary )  
-----132176 William J Lyons - (Director)  
-----134273 Robert P King - (Director)  
-----134273 Robert P King - (Vice President)  
-----135906 Bart J Hyita - (Chief Operations Officer)  
-----135906 Bart J Hyita - (Director)  
-----135906 Bart J Hyita - (President)  
-----139593 Robert F Pusateri - (Director)  
-----139593 Robert F Pusateri - (Vice President)  
-----140338 Steven R Stroupe - (Assistant Secretary )  
-----152005 Nicholas J Deiuliis - (Director)  
-----154545 Jack K Richardson - (Vice President)  
-----155925 P Jerome Richey - (Director)  
-----156239 Lorraine L Ritter - (Assistant Secretary )  
-----156239 Lorraine L Ritter - (Controller)  
-----158032 Daniel S Cangilla - (Treasurer)  
-----158150 Jimmy A Brock - (Vice President)  
-----159673 Alexander J Reyes - (Secretary)  
-----246813 James C Grech - (Vice President)  
-----247139 Charles T Shaynak - (Vice President)  
-----248725 Stephen W Johnson - (Vice President)  
-----248744 William D Gillenwater - (Vice President)  
-----248777 David W Kelly - (Vice President)  
---118427 J Brett Harvey - (Chairman of the Board)  
---118427 J Brett Harvey - (Chief Executive Officer)  
---118427 J Brett Harvey - (Director)  
---122200 Randall M Albert - (Chief Operations Officer)  
---125002 Phillip W Baxter - (Director)  
---125002 Phillip W Baxter - (Shareholder)  
---128701 John T Mills - (Director)  
---132175 John M Reilly - (Treasurer)  
---132175 John M Reilly - (Vice President)  
---132176 William J Lyons - (Chief Financial Officer)  
---132176 William J Lyons - (Executive Vice President)  
---133137 James J McCaffrey - (Senior Vice President)  
---134273 Robert P King - (Executive Vice President)  
---135906 Bart J Hyita - (Chief Operations Officer)  
---139593 Robert F Pusateri - (Executive Vice President)  
---146302 Raj K Gupta - (Director)  
---146635 Joseph T Williams - (Director)  
---147650 John L Whitmire - (Chairman of the Board)  
---147650 John L Whitmire - (Director)  
---147650 John L Whitmire - (Shareholder)  
---148713 Gary J Bench - (Shareholder)  
---151262 Patricia A Hammick - (Director)  
---152005 Nicholas J Deiuliis - (President)  
---152015 Albert A Aloia - (Senior Vice President)  
---154540 James Sr E Altmeyer - (Director)  
---154541 William E Davis - (Director)  
---154543 William P Powell - (Director)  
---154545 Jack K Richardson - (Vice President)  
---155925 P Jerome Richey - (Corporate Officer)  
---155925 P Jerome Richey - (Executive Vice President)  
---155925 P Jerome Richey - (Secretary)  
---155925 P Jerome Richey - (Vice President)  
---156239 Lorraine L Ritter - (Controller)  
---156239 Lorraine L Ritter - (Vice President)  
---157830 David C Hardesty Jr - (Director)  
---158031 Louis Barletta Jr - (Vice President)  
---158087 Lu Ann Datesh - (Vice President)  
---158110 Stephanie L Gill - (Assistant Secretary )  
---158150 Jimmy A Brock - (Chief Operations Officer)  
---158931 George F Rosato - (Vice President)  
---246806 Donna A Spec - (Assistant Secretary )  
---246814 Michael D McLean - (Vice President)  
---247137 Steven E Winberg - (Vice President)  
---247139 Charles T Shaynak - (Senior Vice President)  
---247471 Thomas O Johnson - (Vice President)  
---248725 Stephen W Johnson - (General Counsel)  
---248725 Stephen W Johnson - (Senior Vice President)  
---248744 William D Gillenwater - (Vice President)  
---248745 Darryl M Husenits - (Vice President)  
---248746 M Charles Hardoby - (Vice President)  
---248747 Robert M Belesky - (Vice President)  
---248748 J Michael Onifer - (Senior Vice President)  
---248777 David W Kelly - (Vice President)  
---249573 Daniel Zajdel - (Vice President)  
---250342 Richard K Elswick - (Vice President)  
---250343 Christopher Powell - (Vice President)  
---250939 Brandon R Elliot - (Vice President)  
---251248 David K Aloia - (Vice President)  
---251249 Katharine A Fredriksen - (Senior Vice President)  
---252387 Kurt R Salvatori - (Vice President)

**Narrative**

12/15/11 - All 18 KY state violations are under Island Creek settlement. Linking entities are the applicant, etc. aw